

FARMINGTON POLICE DEPARTMENT

POLICY AND PROCEDURE



Policy Number:
261-11

Effective Date:
04/09/2018

Subject:
Traffic Accident Investigation

Approved by:

Steven D. Hebbe, Chief of Police



PURPOSE:

To provide guidelines concerning traffic crash investigations.

POLICY:

It is the policy of the Farmington Police Department to have established guidelines concerning crash investigations.

PROCEDURE:

Farmington Police Department officers are trained to investigate crashes. Officers are required to respond to, and investigate, the following types of crashes:

1. Crashes involving death or injury;
2. Crashes involving property damage over \$500;
3. Crashes involving vehicles which have left the scene;
4. Crashes involving drivers suspected of impairment due to alcohol, medications, illicit drugs, or through other chemical methods;
5. Crashes involving City owned or other government vehicles and property;
6. Crashes involving hazardous materials;
7. Crashes involving disturbances between involved parties;
8. Crashes involving major traffic congestion;
9. Crashes involving damage to vehicles to the extent that towing is required.

Crash Reporting:

Applicable traffic crashes reported to the Department are reported on the State of New Mexico Uniform Accident Report Form in the Traffic and Criminal Software Program (TraCS), along with any appropriate supplements, under the following conditions:

1. A traffic crash involving a fatality;
2. A traffic crash involving evident or suspected injury;
3. A traffic crash involving property damage over \$500;
4. Hit and run crashes;
5. A traffic crash involving a driver impaired by alcohol, medications, illicit drugs, or through other chemical methods;
6. A traffic crash involving hazardous materials.

The New Mexico Uniform Accident Report Form in the Traffic and Criminal Software Program (TraCS) is completed by following the general guidelines as provided in the Uniform Accident Report Instruction Manual.

Private Property Crashes:

For crashes which occur on private property, the Farmington Police Department Private Property Motor Vehicle Crash Information Form is used. The following types of crashes are exceptions under which the New Mexico Uniform Accident Report is used for accidents which occur on private property:

1. A traffic crash involving a fatality;
2. A traffic crash involving evident or suspected injury;
3. A traffic crash involving disabling or significant property damage;
4. Crashes involving City owned or government vehicles and property;
5. Crashes involving a driver suspected of impairment due to alcohol, medications, illicit drugs or through other chemical methods.

Command of the Crash Scene:

The officer assigned the call holds the primary responsibility for the disposition of the call. Commensurate with this responsibility, the officer is in command of the scene unless relieved by supervisory personnel or an assigned crash investigator.

Shift supervisors respond to any major crash scene or as requested by the assigned officer. The shift supervisor is responsible for making notifications to supervisory and command personnel, as appropriate.

The decision to notify or request the Crash Investigator to respond is the responsibility of the shift supervisor. A crash investigator should be requested for all crashes involving a fatality or major injury and those crashes which are complex in nature. Upon arrival of the crash investigator, the assigned officer relinquishes command of the scene to the investigator.

Other sources of technical assistance may be requested by the assigned officer. These sources include, but are not limited to:

1. The Farmington Fire Department;
2. The New Mexico State Police Laboratory;
3. The State Medical Investigator;
4. The District Attorney's Office;
5. The New Mexico State Police;
6. Certified Drug Recognition Experts (DREs);
7. Any other resource deemed necessary.

Duties of the Initial Responding Officer:

Preservation of life and care of the injured are of the utmost importance at crash scenes. Although conditions may dictate flexibility in the sequence of handling the crash scenes, the following procedures are recommended:

1. Park the patrol vehicle in such a manner so as to provide maximum protection to the injured and the scene. Emergency lights and flares are utilized to alert approaching traffic as needed. Traffic cones, barricades, flashlight cones etc. are utilized to direct traffic safely around crash scenes when necessary. Emergency lights remain in operation until the roadway is sufficiently cleared in order to allow the resumption of normal traffic flow. Once protection of the scene is no longer necessary, the patrol vehicle and other traffic regulating equipment are moved to a position of safety;
2. Contact all involved parties to check for injured persons. Once the injured have been identified, render first aid and ensure that medical assistance is requested as appropriate;
3. Identify any possible fire hazards or the existence of any hazardous materials. If such situations exist, the officer should take appropriate action for each condition as outlined later in this policy;

4. Make the scene as safe as possible by arranging for traffic movements and crowd control. The initial officer should establish a route of travel for uninvolved traffic and pedestrians around the crash scene as soon as possible;
5. Mark the involved vehicle's position, when appropriate, and have the vehicle moved to a safe location in order to restore normal traffic flow as is reasonably possible;
6. Contact each driver to obtain their driver's license, registration, proof of insurance, and, where appropriate, provide the opportunity to involved persons to report any complaint of injury;
7. Observe the position of each vehicle and other physical evidence present at the scene;
8. Ask each driver for the complete details of how the crash occurred, making appropriate entries on the traffic accident reporting form. A complete statement from passengers and any uninvolved witnesses should also be obtained whenever possible;
9. Check and document the traffic control devices present, including speed limit signs preceding the crash scene, as well as the presence, condition, size and the conspicuousness of other control signs and the proper functioning of traffic signal lights;
10. Examine road and weather conditions to identify causes which explain how the crash occurred in an effort to prevent future crashes and determine which party was responsible;
11. Provide sufficient explanation to persons involved in the crash, including their individual responsibilities and the Department's role in the investigation as well as how to obtain copies of the completed crash report;
12. Take appropriate enforcement action if a cause of the accident has been verified or a violation of the law or ordinance has been determined. Verbal or written warnings citations shall not be given for crashes involving death, injury, or chemically impaired drivers;
13. Vehicles involved in traffic crashes which are not financially insured as required by the Mandatory Financial Responsibility Act NMSA 1978 66-5-201.1 should have the license plate(s)

removed and an Uninsured Vehicle sticker should be completed and placed on the rear window of the vehicle or other window if the rear window is damaged or missing. The detached section of the Uninsured Vehicle sticker should be completed and attached to the back of the license plate. The license plate(s) should be placed in the license plate box at the Farmington Police Department or given directly to the Farmington MVD office;

14. Arrange for each driver to go safely on their way and offer any needed assistance as is reasonably appropriate;

15. Prior to leaving the scene, ensure the area is safe for the resumption of normal traffic flow.

Traffic Direction and Control at Crash Scenes:

In a crash requiring a detailed investigation, the scene may need protection for an extended period. In these cases, officers shall:

1. Summon sufficient personnel to handle traffic direction responsibilities;
2. Utilize sufficient equipment to temporarily protect the scene. If barricades and traffic cones are needed in addition to road flares, the officer should notify their shift supervisor who will arrange for necessary equipment;
3. Detour traffic as necessary;
4. Give priority to collecting the information necessary at the scene to facilitate restoring the normal flow of traffic;
5. Restore the scene to a safe condition, arrange for replacement of damaged traffic control signs, if necessary, and restore traffic flow as soon as possible;
6. Continue traffic direction duties until traffic flow is normal.

Crash Investigation:

Traffic crash investigation is a thorough examination of all factors contributing to the crash. An officer's opinion, which is based upon collected and observed information, is an appropriate inclusion in the written account of the crash. Procedures for on-scene crash information collection includes, but is not limited to the following:

1. Interviewing involved parties and witnesses;
2. Examining and recording vehicle damage;
3. Examining and recording the effects of the crash on the roadway;

4. Taking measurements as appropriate;
5. Taking photographs, as appropriate;
6. Collecting and preserving evidence, as appropriate. The Crime Scene Technician may be contacted to aid in processing the scene, if necessary;
7. Exchanging information among involved parties;
8. Locating and collecting short-lived evidence such as: point(s) of impact; final resting position of vehicles or evidence; skid marks and other debris; other item(s) which have been altered.
9. Investigating any suspected chemically impaired drivers.

Follow-up Investigation:

Procedures for follow-up investigation include, but are not limited to, the following:

1. Reconstructing the crash to determine the series of events;
2. Conducting follow-up interviews and obtaining detailed statements from witnesses;
3. Obtaining additional data and information and verifying facts gathered during the initial investigation;
4. Completing a detailed diagram of the scene;
5. Completing a detailed crash report;
6. Taking the appropriate enforcement action. Verbal or written warnings shall not be given for traffic crashes involving injuries or suspected injuries. Traffic violations cited in injury crashes shall be either penalty assessments or court appearance notices as required by the type of violations.
7. Regular follow-ups by the case officer should be completed with any injured victim(s) involved in crashes to keep them updated with the case status and to also update the department, district attorney's office, city attorney's office, and reports on any injury status changes or deaths.

Responsibility of Personal Property at Crash Scenes:

The assigned officer will ensure the safekeeping of property belonging to an individual unable to care for it due to an injury or death. Items which cannot be released to appropriate responsible parties will be entered into evidence for safekeeping. In cases of death, custody of valuables should be assumed by the Medical Investigator at the scene. Any items left in a vehicle will be inventoried and noted on the Vehicle Storage and Towing Order Report when completed by the officer towing the vehicle. Any vehicle that is disabled or has been illegally operated as defined in policy Towing Services and Circumstances #261-17, should be towed after the traffic crash investigation is complete.

Serious and Fatal Traffic Crash-Preliminary Investigations:

When a fatality occurs as a result of a traffic crash, several additional duties and responsibilities become involved in the investigation. Since fatal traffic crashes have the potential for criminal charges being filed, the investigation must be as complete and detailed as possible. The following preliminary investigative procedures are performed by the officer in charge of the scene, in addition to those included in traffic crash investigations which do not involve death:

1. Check the condition of the injured persons to identify those more seriously injured or deceased. Any injuries to all persons involved should be noted, especially bruising or lacerations caused by impact with the steering wheel, mirrors, or windows. These observations may be very important as a means of identifying a person's position in the vehicle;
2. Ensure that the shift supervisor and the Medical Investigator are immediately notified in cases where death is immediately evident;
3. Summon sufficient assistance to handle traffic and crowd control problems;
4. At crash scenes where the potential exists for persons, known or unknown, to have been ejected from an involved vehicle, ensure a reasonable search of the area is conducted in order to locate additional potential crash victims or to confirm the lack thereof;
5. Note the exact location and condition of the deceased so details may be included in the investigative report and diagram;
6. Ensure that the body and property of the deceased are not moved until the arrival of the Medical Investigator;
7. Attempt to identify the deceased. If identification involves handling personal property or valuables, the Medical Investigator should perform this task;
8. Ensure that the notification of next of kin is made.

Duties of the Supervisor in Charge:

1. Notify the Traffic Sergeant or on-duty Traffic Supervisor immediately in the event of a crash involving serious injury or death. The Traffic Sergeant or on-duty Traffic Supervisor will give the approval to call out the on-call traffic officer(s).
2. Advise the Traffic Sergeant or on-duty Traffic Supervisor if there is any evidence of chemical impairment (alcohol or any intoxicating substance) by any of the subjects operating any motor vehicle involved in the crash where serious injury or death occurred.
3. If chemical impairment is suspected from any of the drivers involved in a traffic crash causing serious injury or death, a traffic officer should complete the Driving While Intoxicated (DWI) portion of the investigation.
4. Notify the City of Farmington City Attorney, City of Farmington Risk Manager, and the City of Farmington Public Works Director via email immediately or no later than prior to the end of the supervisor's shift.

Once the preliminary investigation is completed, the investigator should:

1. Ensure that the entire scene is photographed, to include location, roadway, vehicles in final resting place, body or body parts, vehicle damage, vehicle parts/debris, vehicle interior, gouges, scuffs and skidmarks on the road's surface, surrounding area and obstructions;
2. When appropriate, examine the vehicle's parts such as: headlamps and taillights; brakes, brake pads, tires, and interior (for obstructed view or obstructions to driver's equipment); speedometer and odometer;
3. Request a release of medical records of all persons involved in the fatal crash;
4. Place an investigative hold on any vehicle involved in the fatal crash and ensure that each is properly impounded to permit a more thorough examination for defects.

Serious and Fatal Traffic Crashes-Follow-up Investigation:

Procedures for follow-up investigation of serious and fatal traffic crashes include, but are not limited to, the following:

1. Reconstruct the crash to determine the series of events;
2. Re-contact witnesses and those involved in the crash to conduct follow-up interviews and obtain detailed statements;
3. Calculate speed from evidence at the scene;
4. Obtain additional data and information and verify facts gathered during the initial investigation;
5. Complete a detailed diagram of the crash scene. Sketches are useful in assisting the investigator in describing the accident, enabling the investigator to reveal facts, to locate again any given point at the scene, and to serve as a basis for an accurate scale drawing;
6. Complete a detailed crash report;
7. Compile and present information to the District Attorney's office for review and determination. If no arrest or traffic charges have been made, the investigator should review all the evidence to be presented to the District Attorney's Office and make a recommendation, including the potential for enhanced penalty.

Hit and Run Crashes:

Bringing a hit and run traffic crash investigation to a successful conclusion depends upon the effective gathering and disseminating of accurate and factual information. This includes diligence in pursuing available leads, and the gathering and protecting of physical evidence to associate the vehicle and driver with the crash. The coordination of effort within the Department and the cooperation of other law enforcement agencies in the search for the missing driver and vehicle are essential in these investigations. Although each crash presents unique problems, the following duties and responsibilities remain with the investigating officer:

1. Upon verifying a crash is a hit and run, the responding officer obtains a description of the suspect vehicle, driver, passengers, probable damage to the vehicle and direction of travel;
2. The descriptive information is related to Dispatch for dissemination to other field units and law enforcement agencies;
3. The officer at the scene should locate, photograph, collect, and preserve all physical evidence which may be useful in the identification of the suspect vehicle;
4. Enforcement action is taken when the investigation indicates it is appropriate.
5. Hit and run crash reports are reviewed by a Traffic Supervisor for possible links or similarities to other hit and run crashes. The Traffic Supervisor should assign traffic investigators to follow up on hit and run crashes at their discretion.

Traffic Crashes Involving Hazardous Materials:

Upon arrival at any traffic crash scene, the officer must be alert for hazardous materials. The initial officer may determine the presence of hazardous materials by looking for the placarding and other identification on the vehicle, trailer, or carrier. A placard is a ten and three-quarters (10 3/4) inch, square diamond required by the Department of Transportation to be placed upon certain vehicles which indicates the presence of dangerous quantities of hazardous materials. The officer should also question the driver regarding the load danger and limitations of containment. If the placard is not present or is improper, the officer should contact the New Mexico Department of Transportation or members of the Traffic Division who are certified to conduct Commercial Motor Vehicle investigations.

The following procedures are performed by officers responding to a traffic crash in which hazardous materials are involved:

1. If a recognized hazard exists, the assigned officer takes appropriate action to stabilize the conditions by providing adequate protection to the scene, isolating the immediate area, notifying the shift supervisor, and requesting the Farmington Fire Department Hazardous Material Team and, if needed, the State Police Emergency Response Officer;
2. Where safe to do so, look for sources of information which can assist in identifying the particular substance and its characteristics. The primary sources of information may include: the shape and type of transporting vehicle and the driver of the vehicle. If the driver is not available, the officer should look for placards on the truck, search for shipping papers, Kem-cards, and driver's log. The officer should advise the Communications Center of the name of the transport company for potential telephone follow-up in order to identify the material. Communication Center personnel notifies Chem-Trec for additional procedural information concerning the hazardous substance;
3. Reduce the possibility of sparks from smoking, flares, or electricity;
4. If the New Mexico State Police Emergency Response Officer responds, the officer relinquishes command of the scene and remains to assist with traffic and crowd control;
5. Once the hazard has been neutralized, the assigned officer resumes command of the crash scene and conducts the crash investigation within procedures outlined in this directive for a fatal, injury or property damage crash, as it applies.

Traffic Crashes Involving Fire Hazard:

In the event an officer responds to a traffic crash and identifies a fire hazard, or the fire has already ignited, the officer will:

1. Immediately request the Fire Department to respond to the scene and request emergency medical services as required;
2. Remove all injured parties, drivers, passengers, witnesses, and bystanders away from the hazard to a location of safety;
3. Attempt to extinguish the fire with the patrol vehicle issued fire extinguisher, if doing so does not endanger the officer's safety;
4. Notify the field supervisor;
5. Arrange to divert traffic from the area of danger;
6. Upon arrival of the Fire Department, relinquish command of the fire hazard to the on-scene Fire Department Incident Commander;
7. Once the fire is extinguished, or hazard is removed, assume command of the scene and conclude the accident investigation.

Inclement Weather Traffic Crashes:

During weather conditions where traffic crashes increase to a level which impedes the Department's ability to handle the requests for service, on scene crash investigation may be temporarily suspended. In such circumstances, and upon the determination by the on-duty supervisor that a temporary suspension of crash investigations is warranted, crash reports may be filed at the Police Department at a reasonably later date.